

TABLE I—Continued

| Factor  | Damage  | Serious damage   | Very serious damage  |
|---|---|--|--|
| Caked melanose .....  | Aggregating more than a circle $\frac{3}{8}$ inch (9.5 mm) in diameter.   | Aggregating more than a circle $\frac{5}{8}$ inch (15.9 mm) in diameter.   | Aggregating more than 25 percent of the surface.   |
| Creasing .....  | Materially weakens the skin, or extends over more than one-third of the surface.  | Seriously weakens the skin, or extends over more than one-half of the surface.   | Very seriously weakens the skin, or is distributed over practically the entire surface.  |
| Dryness or mushy condition ....   | Affecting all segments more than $\frac{1}{8}$ inch (3.2 mm) at stem end, or the equivalent of this amount, by volume, when occurring in other portions of the fruit.   | Affecting all segments more than $\frac{1}{4}$ inch (6.4 mm) at stem end, or the equivalent of this amount, by volume, when occurring in other portions of the fruit.  | Affecting all segments more than $\frac{1}{2}$ inch (12.7 mm) at stem end, or the equivalent of this amount, by volume, when occurring in other portions of the fruit. |
| Green spots .....   | Aggregating more than a circle $\frac{1}{2}$ inch (12.7 mm) in diameter.  | Aggregating more than a circle $\frac{5}{8}$ inch (15.9 mm) in diameter.   | Aggregating more than 25 percent of the surface.   |
| Oil spots .....   | Aggregating more than a circle $\frac{1}{2}$ inch (12.7 mm) in diameter.  | Aggregating more than a circle $\frac{3}{4}$ inch (19.1 mm) in diameter.   | Aggregating more than 25 percent of the surface.   |
| Scab .....  | Materially detracts from the shape or texture, or aggregating more than a circle $\frac{3}{8}$ inch (9.5 mm) in diameter.   | Seriously detracts from the shape or texture, or aggregating more than a circle $\frac{5}{8}$ inch (15.9 mm) in diameter.  | Aggregating more than 25 percent of the surface.   |
| Scale .....   | Aggregating more than a circle $\frac{3}{8}$ inch (9.5 mm) in diameter.   | Aggregating more than a circle $\frac{5}{8}$ inch (15.9 mm) in diameter.   | Aggregating more than 25 percent of the surface.   |
| Scars, Hail, and Thorn scratches [For smooth or fairly smooth superficial scars see § 51.1828]. | Deep or rough aggregating more than a circle $\frac{1}{4}$ inch (6.4 mm) in diameter; slightly rough with slight depth aggregating more than a circle $\frac{3}{4}$ inch (19.1 mm) in diameter; smooth or fairly smooth with slight depth aggregating more than a circle $1\frac{1}{8}$ inches (28.6 mm) in diameter. | Deep or rough aggregating more than a circle $\frac{1}{2}$ inch (12.7 mm) in diameter; slightly rough with slight depth aggregating more than a circle $1\frac{1}{8}$ inches (28.6 mm) in diameter; smooth or fairly smooth with slight depth aggregating more than 10 percent of fruit surface. | Deep or rough or unsightly that appearance is very seriously affected.   |
| Skin breakdown .....  | Aggregating more than a circle $\frac{1}{2}$ inch (12.7 mm) in diameter.  | Aggregating more than a circle $\frac{3}{4}$ inch (19.1 mm) in diameter.   | Aggregating more than 25 percent of the surface.   |
| Sprayburn .....   | Skin is hard and aggregating more than a circle $\frac{3}{4}$ inch (19.1 mm) in diameter.   | Skin is hard and aggregating more than a circle $1\frac{1}{4}$ inches (31.8 mm) in diameter.   | Aggregating more than 25 percent of the surface.   |
| Sunburn .....   | Skin is flattened, dry, darkened, or hard and the affected area exceeds 25 percent of the surface.  | Skin is hard and affects more than one-third of the surface.   | Aggregating more than 50 percent of the surface.   |

NOTE: All references to area or aggregate area, or length are based on a tangerine  $2\frac{1}{2}$  inches in diameter (63.5 mm), allowing proportionately greater areas on larger fruit and lesser areas on smaller fruit.

### Subpart—United States Standards for Fresh Tomatoes<sup>1</sup>

#### GRADES

#### § 51.1855 U.S. No. 1.

“U.S. No. 1” consists of tomatoes which meet the following requirements:

- (a) Basic requirements:
  - (1) Similar varietal characteristics;
  - (2) Mature;
  - (3) Not overripe or soft;
  - (4) Clean;
  - (5) Well developed;
  - (6) Fairly well formed; and,
  - (7) Fairly smooth.

SOURCE: 38 FR 23932, Sept. 5, 1973, unless otherwise noted. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981.

<sup>1</sup>Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

**§ 51.1856**

- (b) Free from:
  - (1) Decay;
  - (2) Freezing injury; and
  - (3) Sunscald.
- (c) Not damaged by any other cause.
- (d) For tolerances see § 51.1861.

**§ 51.1856 U.S. Combination.**

“U.S. Combination” consists of a combination of U.S. No. 1 and U.S. No. 2 tomatoes: *Provided*, That at least 60 percent, by count, meet the requirements of U.S. No. 1 grade.

- (a) For tolerances see § 51.1861.

**§ 51.1857 U.S. No. 2.**

“U.S. No. 2” consists of tomatoes which meet the following requirements:

- (a) Basic requirements:
  - (1) Similar varietal characteristics;
  - (2) Mature;
  - (3) Not overripe or soft;
  - (4) Clean;
  - (5) Well developed;
  - (6) Reasonably well formed; and,
  - (7) Not more than slightly rough.
- (b) Free from:
  - (1) Decay;
  - (2) Freezing injury; and,
  - (3) Sunscald.
- (c) Not seriously damaged by any other cause.
- (d) For tolerances see § 51.1861.

**§ 51.1858 U.S. No. 3.**

“U.S. No. 3” consists of tomatoes which meet the following requirements:

- (a) Basic requirements:
  - (1) Similar varietal characteristics;
  - (2) Mature;
  - (3) Not overripe or soft;
  - (4) Clean;
  - (5) Well developed; and,
  - (6) May be mishapen.
- (b) Free from:
  - (1) Decay; and,
  - (2) Freezing injury.
- (c) Not seriously damaged by:
  - (1) Sunscald.
- (d) Not very seriously damaged by any other cause.
- (e) For tolerances see § 51.1861.

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**SIZE**

**§ 51.1859 Size.**

(a) The size of tomatoes packed in any standard type shipping container shall be specified and marked according to one of the size designations set forth in Table I. Individual containers shall not be marked with more than one size designation. Consumer packages and their master container are exempt; however, if they are marked, the same requirements would apply.

(1) When containers are marked in accordance with Table I, the markings on at least 85 percent of the containers in a lot must be legible.

(2) In determining compliance with the size designations, the measurement for minimum diameter shall be the largest diameter of the tomato measured at right angles to a line from the stem end to the blossom end. The measurement for maximum diameter shall be the smallest dimension of the tomato determined by passing the tomato through a round opening in any position.

(b) In lieu of marking containers in accordance with paragraph (a) of this section or specifying size in accordance with the dimensions defined in Table I, for Cerasiforme type tomatoes commonly referred to as cherry tomatoes and Pyriforme type tomatoes commonly referred to as pear shaped tomatoes, and other similar types, size may be specified in terms of minimum diameter or minimum and maximum diameter expressed in whole inches, and not less than thirty-second inch fractions thereof, or millimeters in accordance with the facts.

(1) Tomatoes of these types are exempt from marking requirements. However, when marked to a minimum or minimum and maximum diameter, the markings on at least 85 percent of the containers in a lot must be legible.

- (c) For tolerances see § 51.1861.

**TABLE I**

| Size designation | Inches                          |                                 |
|------------------|---------------------------------|---------------------------------|
|                  | Minimum diameter <sup>1</sup>   | Maximum diameter <sup>2</sup>   |
| Small .....      | 2 <sup>1</sup> / <sub>32</sub>  | 2 <sup>9</sup> / <sub>32</sub>  |
| Medium .....     | 2 <sup>8</sup> / <sub>32</sub>  | 2 <sup>17</sup> / <sub>32</sub> |
| Large .....      | 2 <sup>19</sup> / <sub>32</sub> | 2 <sup>25</sup> / <sub>32</sub> |